

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Stuart A. KAUFFMAN *et al.*

Application No.: 09/868,981

Group Art Unit: To be assigned

Filed: June 22, 2001

Examiner: To be assigned

For: A SYSTEM AND METHOD FOR
THE ANALYSIS AND
PREDICTION OF ECONOMIC
MARKETS

Attorney Docket No.: 9392-016-999

RENEWED REQUEST UNDER 37 CFR 1.497(d)

Commissioner for Patents
Office of PCT Legal Administration
Box PCT
Washington, D.C. 20231

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Technology Center 2600

Dear Sir or Madam:

Applicant files this renewed request in response to the Decision on Renewed Request Under 37 CFR 1.497(d) mailed by the Patent and Trademark Office (PTO) on September 18, 2002.

In the PTO's September 18th decision, the PTO acknowledged that the declarations submitted by the Applicant in its Renewed Request comply with 37 CFR 1.63:

... applicant's representative filed ... what appears to be three sets of the declarations (sheets 1-3) that taken together would comply with 37 CFR 1.63. Decision on Renewed Request of September 18, 2002, pg. 1.

Nevertheless, the PTO dismissed without prejudice Applicant's renewed request because it felt that Applicant had still not satisfied item (3) of 37 CFR 1.497(d), which requires, "[i]f an assignment has been executed by any of the original named inventors, the written consent of the assignee." Applicant, however, filed such a written consent of the assignee on January 22, 2002. Accordingly, Applicant did satisfy item (3) of 37 CFR 1.497. Indeed, the PTO itself previously acknowledged that the Applicant had satisfied this item. Decision on Request Under 37 CFR 1.497(d), pg. 1.

In its decision, the PTO also argues that the declarations are not complete copies containing the inventors' signatures because of the order in which the inventors signed the declaration. Decision on Request Under 37 CFR 1.497(d), pg. 1. But this argument fails for

several reasons. First, nothing in this argument is relevant to 37 CFR 1.497(d)(3), which was the only rule that the PTO claimed the Applicant had not satisfied. In addition, the PTO has not identified any other rule to which this argument is relevant. Moreover, the declarations submitted by the Applicant are complete copies containing the inventors' signatures. And nothing in the PTO's argument indicates otherwise. In other words, even if the PTO's statements about the order in which the inventors signed the declarations were true, they do not indicate that the declarations submitted to the PTO were not complete copies.

Accordingly, Applicant respectfully submits that its renewed request under 37 CFR 1.497(d) should be granted. No fee is believed to be due for this renewed request. Should the Commissioner deem that a fee is required, however, please charge such fee to Pennie & Edmonds LLP deposit account no. 16-1150.

Respectfully submitted,



Date: March 18, 2003

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Enclosures